

ITEM NO.301

COURT NO.7

SECTION PIL

S U P R E M E C O U R T O F  
R E C O R D O F P R O C E E D I N G S

I N D I A

Writ Petition(s)(Civil) No(s). 142/2006

VIPLAV SHARMA

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(With appln(s) for c/delay in filing affidavit, directions, exemption from filint OT, extension of time, impleadment, impleadment as party respondent, permission, permission to file additional documents, permission to file rejoinder affidavit, permission to file su-rejoinder affidavit, permission to file synopsis, permission to place addl. Documents on record, stay, taking on record additional documents, urgency and office report)

WITH W.P.(C) No. 349/2009 (With appln(s) for directions)

(With W.P.(C) No. 30/2010

(With appln.(s) for early hearing and Office Report)

W.P.(C) No. 152/2010

(With appln.(s) for directions and Office Report)

W.P.(C) No. 156/2010

(With appln.(s) for permission to file additional documents and

appln.(s) for permission to file synopsis and list of dates and

appln.(s) for directions and Office Report)

W.P.(C) No. 177/2010

(With appln.(s) for permission to file synopsis and list of dates

and appln.(s) for directions and appln.(s) for permission to file

additional documents and Office Report)

W.P.(C) No. 191/2010 (With appln. for directions and Office Report)

W.P.(C) No. 194/2010 (With Office Report)

W.P.(C) No. 217/2010

(With appln.(s) for directions and appln.(s) for permission to file

additional documents and appln.(s) for permission to file rejoinder

affidavit and appln.(s) for permission and Office Report)

W.P.(C) No. 119/2011

(With appln.(s) for stay and appln.(s) for clarification of court's

order and appln.(s) for directions and Office Report)

Signature Not Verified

Date : 26/09/2014 These petitions were called on for hearing today.

Digitally signed by

Naveen Kumar

Date: 2014.09.27

11:35:06 IST

Reason:

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA

HON'BLE MR. JUSTICE VIKRAMAJIT SEN

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Mr. Amit Kumar, Adv.

Mr. V.N. Raghupathy, Adv.

Mr. Shubhangi Tuli, Adv.

Mr. Naveen R. Nath, Adv.

Mr. Sanjay Jain, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

IA Nos. 79,80,83,84, 90 to 95

Heard Mr. Tushar Mehta, learned ASG for the Union of India, Mr. Maninder Singh, learned ASG for the UGC, Mr. Hegde, learned counsel for the writ petitioners and learned counsel for the applicants.

The singular grievance that has been agitated in the aforesaid I.As. is that the UGC instead of taking recourse to physical inspection of the concerned institution, have adopted an innovative modus operandi by inspecting through photographs and video camera. We cannot conceive of such a situation.

In our considered opinion, inspection would mean in all its connotative expanse physical inspection from all scores and spectrums. Neither the petitioners can have a

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restrictive or constricted meaning on the same nor the UGC can put a gloss over it. A physical inspection is fundamentally a physical inspection and we so repeat at the cost of repetition.

Regard being had to what we have stated herein-above, it is directed that the institutions covered in the aforesaid Interlocutory Applications shall be inspected by the UGC within a period of 12 weeks from today. After the inspection is conducted, it would be an obligation of the UGC to point out the defects/defaults so that the institutions can rectify the same in quite

promptitude. A reasonable time shall be granted for the same for due compliance. Thereafter and only thereafter, the same shall be submitted to the Central Government and be filed before this Court along with the recommendations of the UGC.

Accordingly, IAs are allowed.

Let the matter be listed before us on 08.01.2015 at 2.00 p.m.

(NAVEEN KUMAR)  
COURT MASTER

(RENUKA SADANA)  
COURT MASTER